AMENDMENTS TO THE CLAIMS

This listing replaces all prior versions of claims in the application.

1. (Currently Amended) A DNA fragment~~, which exists in~~ that consists of a non-translation region located upstream of the 5'-terminal side of YFL014W gene of *Saccharomyces cerevisiae* and that has a cold-inducible promoter function, wherein said non-translation region is obtained by PCR-amplification using the nucleotide sequences of SEQ ID NO: 19 and SEQ ID NO: 20 as primers and *Saccharomyces cerevisiae* genomic DNA as a template.

2. (Cancelled)

3. (Currently Amended) An expression vector comprising the DNA fragment according to claim 1 or ~~2~~ 27.

4. (Previously Presented) The expression vector according to claim 3, characterized by comprising a foreign gene or foreign DNA fragment downstream of said DNA fragment.

5. (Currently Amended) A transformant, which is produced by transforming a host ~~transformed~~ with the expression vector according to claim 3 ~~or 4~~.

6. (Currently Amended) The transformant according to claim 5, wherein [[a]] said host is yeast.

7. (Currently Amended) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 5 ~~or 6~~ at the decreased temperature.

8. (Currently Amended) The method ~~for producing a protein~~ according to claim 7, wherein the culture temperature is 10°C or lower.

9. (Currently Amended) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 5 ~~or 6~~ at the decreased temperature.

10. (Currently Amended) The method ~~for regulating RNA production~~ according to claim 9, wherein the culture temperature is 10°C or lower.

11. (Cancelled)

12. (Cancelled)

13. (New) A transformant, which is produced by transforming a host with the expression vector according to claim 4.

14. (New) The transformant according to claim 13, wherein said host is yeast.

15. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 6 at the decreased temperature.

16. (New) The method according to claim 15, wherein the culture temperature is 10°C or lower.

17. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 6 at the decreased temperature.

18. (New) The method according to claim 17, wherein the culture temperature is 10°C or lower.

19. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 13 at the decreased temperature.

20. (New) The method according to claim 19, wherein the culture temperature is 10°C or lower.

21. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 13 at the decreased temperature.

22. (New) The method according to claim 21, wherein the culture temperature is 10°C or lower.

23. (New) A method for producing a protein, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 14 at the decreased temperature.

24. (New) The method according to claim 23, wherein the culture temperature is 10°C or lower.

25. (New) A method for regulating RNA production, characterized by comprising decreasing a culture temperature and culturing the transformant according to claim 14 at the decreased temperature.

26. (New) The method according to claim 25, wherein the culture temperature is 10°C or lower.

27. (New) A DNA fragment that has a cold-inducible promoter function and that hybridizes under stringent conditions with a second DNA fragment comprised of a non-translation region that is located upstream of the 5'-terminal side of YFL014W gene of *Saccharomyces cerevisiae* and that has a cold-inducible promoter function, wherein said non-translation region is obtainable by PCR-amplification using the nucleotide sequences of SEQ ID NO: 19 and SEQ ID NO: 20 as primers and *Saccharomyces cerevisiae* genomic DNA as a template.